

DOCKET NO.: MSFT-0738/183225.1



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PATENT

#5

2171
2A 9/11/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Flora Peabody Goldthwaite, Holly Serdy, and Jonathan C. Cluts

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JUL 11 2002

Technology Center 2100

Serial No.: 10/075,519

Group Art Unit: 2171

Filing Date: February 13, 2002

Examiner: Not Yet Assigned

For: **METHODS AND SYSTEMS FOR PROVIDING A DISTRIBUTED
DATABASE STORE WITH CORRELATION SERVICE**

DATE OF DEPOSIT: June 26, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID
ON THE DATE INDICATED ABOVE AND IS ADDRESSED
TO THE ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, DC 20231.

TYPED NAME: Michael J. Swope
REGISTRATION NO.: 38,041

Assistant Commissioner for Patents
Washington, DC 20231

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**PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN ON
EXPRESS MAIL LABEL "DATE-IN" (37 C.F.R. 1.10(c))**

1. This is a petition to accord the correspondence in the above-identified



application

Adjustment date: 09/23/2002 CKHLOK
07/08/2002 SSESHE1 00000010 233050 10075519
01 FC:122 130.00 CR

the "date-in" of February 13, 2002 shown on the Express Mail Label Number **EL695382520US**.

It is respectfully contended that the date of February 15, 2002 accorded this
correspondence by the U.S. Patent Office is incorrect.

2. Submitted herewith is the statement of Michael J. Swope as to when the discrepancy was
discovered and establishing that this petition is being filed promptly thereafter. 37 C.F.R.
1.10(e)(1).

07/08/2002 SSESHE1 00000010 233050 10075519
01 FC:122 130.00 CH

Est

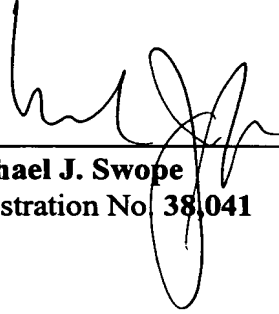
3. Attached is a true copy of the Patent Application Transmittal Letter that was mailed as Express Mail Label Number **EL695382520US** on **February 13, 2002** and that the number of the Express Mail was placed thereon prior to mailing. [37 C.F.R. 1.10(c)(2)].
4. Attached is a true copy of the "Express Mail" mailing label showing the "date-in" of **February 13, 2002**. 37 C.F.R. §1.10(c)(3).

REQUEST FOR WAIVE OF PETITION FEE

- ☒ As no defect exists in Applicant's previous submission, Applicant respectfully requests that the Petition Fee of **\$130.00** be waived. However, should Applicant's request be denied, the Commissioner is authorized to charge the fee of **\$130.00** to the Deposit Account of the undersigned attorney, Deposit Account Number 23-3050

Date: June 26, 2002

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



Michael J. Swope
Registration No **38,041**

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DOCKET NO. : MSFT-0738/183225.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Flora Goldthwaite, Holly Serdy and Jonathan Cluts

Serial No.: Not yet assigned

Group Art Unit: Not yet assigned

Filing Date: Herewith

Examiner: Not yet assigned

For: METHODS AND SYSTEMS FOR PROVIDING A DISTRIBUTED DATABASE
STORE WITH CORRELATION SERVICE

EXPRESS MAIL LABEL NO: EL695382520US

DATE OF DEPOSIT: February 13, 2002

EL695382520US

Box

☒ Patent Application

☐ Sequence ☐ Design

Commissioner for Patents
Washington, DC 20231

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PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find

☒ A Utility Patent Application under 37 C.F.R. 1.53(b).

It is a continuing application, as follows:

☐ continuation ☐ divisional ☐ continuation-in-part of prior application number
____/____.

☐ A Design Patent Application (submitted in duplicate).

☐ Request for Nonpublication is attached.

Including the following:

☒ New or Revised Specification, including pages 1 to 22 containing:

☒ Specification

☒ Claims

☒ Abstract

☐ Substitute Specification, including Claims and Abstract.

☐ The present application is a continuation application of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Since none of those amendments incorporate new matter into the parent application, the present revised Specification also does not include new matter.

☐ The present application is a continuation application of Application No. _____ filed _____, which in turn is a continuation-in-part of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Although the amendments in the parent C-I-P application may have incorporated new matter, since those are the only revisions included in the present application, the present application includes no new matter in relation to the parent application.

☐ A copy of earlier application Serial No. _____ Filed _____, including Specification, Claims and Abstract (pages 1 - @@), to which no new matter has been added TOGETHER WITH a copy of the executed oath or declaration for such earlier application and all drawings and appendices. Such earlier application is hereby incorporated into the present application by reference.

☐ Please enter the following amendment to the Specification under the Cross-Reference to Related Applications section (or create such a section) : "This Application:

☐ is a continuation of ☐ is a divisional of ☐ claims benefit of U.S. provisional Application Serial No. _____ filed _____.

☐ Signed Statement attached deleting inventor(s) named in the prior application.

☐ A Preliminary Amendment.

☒ 9 Sheets of Formal Drawings (Three (3) sets).

☒ Drawing view to publish: 4

☒ Petition to Accept Color Drawings.

☒ Petition Fee - \$130 to be charged to the Deposit Account No. 23-3050.

☒ An ☐ Executed ☒ Unexecuted Declaration or Oath and Power of Attorney.

☐ An Associate Power of Attorney.

☐ An ☐ Executed ☐ Copy of Executed Assignment of the Invention to _____

☐ A Recordation Form Cover Sheet.

☐ Recordation Fee - \$40.00.

☐ The prior application is assigned of record to _____

☐ Priority is claimed under 35 U.S.C. § 119 of Patent Application No. _____
filed _____ in _____ (country).

☐ A Certified Copy of each of the above applications for which priority is claimed:

☐ is enclosed.

☐ has been filed in prior application Serial No. _____ filed _____.

☐ Please enter the following amendment to the first sentence of the specification (or create such a sentence): "This application claims benefit of international application No. _____, which was published under PCT Article 21(2) in English."

- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 C.F.R. §1.27 as:
- ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization.
- ☐ Diskette Containing DNA/Amino Acid Sequence Information.
- ☐ Statement to Support Submission of DNA/Amino Acid Sequence Information.
- ☐ Sequence listing consisting of pages _____.
- ☐ The computer readable form in this application _____, is identical with that filed in Application Serial Number _____, filed _____. In accordance with 37 CFR 1.821(e), please use the ☐ first-filed, ☐ last-filed or ☐ only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is ☐ included in the originally-filed specification of the instant application, ☐ included in a separately filed preliminary amendment for incorporation into the specification.
- ☒ Information Disclosure Statement.
- ☒ Attached Form 1449.
 - ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ A copy of Petition for Extension of Time as filed in the prior case.
- ☐ Appended Material as follows: _____.

☒ Return Receipt Postcard (should be specifically itemized).

☐ Other as follows: _____

FEE CALCULATION:

☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

| | | | | SMALL ENTITY | | NOT SMALL ENTITY | |
|--|-----------|-----------|--|--------------|-----|------------------|-------|
| | | | | RATE | FEE | RATE | FEE |
| DESIGN APPLICATION | | | | \$165.00 | \$ | \$330.00 | \$ |
| UTILITY APPLICATIONS BASE FEE | | | | \$370.00 | \$ | \$740.00 | \$740 |
| UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS | | | | | | | |
| | No. Filed | No. Extra | | | | | |
| TOTAL CLAIMS | 32- 20 = | 12 | | \$9 each | \$ | \$18 each | \$216 |
| INDEP. CLAIMS | 3- 3 = | 0 | | \$42 each | \$ | \$84 each | \$ 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | \$140 | \$ | \$280 | \$ |
| ADDITIONAL FILING FEE | | | | | \$ | | \$ |
| TOTAL FILING FEE DUE | | | | | \$ | | \$956 |

☐ A Check is enclosed in the amount of \$_____.

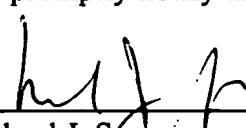
☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.

☒ The foregoing amount due.

- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: 2/13/02



Michael J. Swope
Registration No. 38,041

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



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TO ADDRESSEE**



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| ORIGIN (POSTAL USE ONLY) | | |
| PO ZIP Code 98154 | Day of Delivery <input checked="" type="checkbox"/> First <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In 9/1/02 | <input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM | Postage \$ 16.25 |
| Time In 16:34 PM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight 1.15 lbs | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials 125 | Total Postage & Fees \$ 16.25 |

EL 95382520US
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| METHOD OF PAYMENT: Express Mail Corporate Acct. No. 191468 | |
| <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. (If delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. | |
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| FROM: (PLEASE PRINT) PHONE 206.332.1360 WOODCOCK WASHBURN WELLS FARGO CENTER 999 3RD AVE STE 1606 SEATTLE WA 98104-4001 MSFT-0738 MJS/khove | TO: (PLEASE PRINT) PHONE BOX PATENT APPLICATION Commissioner Eric Patents Washington DC 20521 |
| PRESS HARD. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.gov | |

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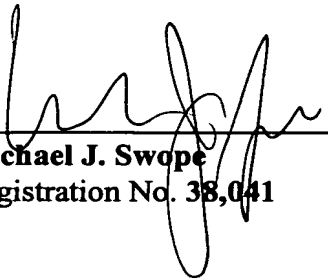
Assistant Commissioner for Patents
Washington, DC 20231

**STATEMENT ATTESTING TO FACTS AS TO WHEN DISCREPANCY BETWEEN
FILING DATE ACCORDED BY U.S. PATENT OFFICE AND DATE-IN ON
EXPRESS MAIL LABEL WAS DISCOVERED**

On February 13, 2002, the above-identified patent application was filed with the United States Patent Office in accordance with the "Filing of Correspondence Procedure by Express Mail" sent forth in 37 C.F.R. §1.10 and as evidenced by the enclosed copy of Express Mail Label Number **EL695382520US**. Applicants' undersigned attorney received an updated Official Filing Receipt. Upon receipt thereof, Applicants' attorney noted that there was a discrepancy between the Express Mail Label date-in of **February 13, 2002** and the U.S. Patent Office's mail room stamp according this application a filing date of **February 15, 2002**.

In light of the foregoing and the evidentiary documentation attached herewith, Applicant respectfully requests that the U.S. Patent Office accord this application the correct filing date of **February 13, 2002**.

Date: June 26, 2002



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Registration No. 38,041

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